

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES SAMUELS,
[DOB: 10/15/1965]

Defendant.

Case No. _____

COUNT ONE:

***Conspiracy to Make False Statements During
Purchase of Firearms***

18 U.S.C. §§ 371 and 924(a)(1)(A)

NMT: 5 Years' Imprisonment

NMT: \$250,000 Fine

NMT: 3 Years' Supervised Release

Class D Felony

COUNT TWO:

***Engaging in the Business of Dealing Firearms
Without a License***

18 U.S.C. §§ 922(a)(1)(A), 923(a) and
924(a)(1)(D)

NMT: 5 Years' Imprisonment

NMT: \$250,000 Fine

NMT: 3 Years' Supervised Release

Class D Felony

**COUNTS THREE, FIVE, SIX, SEVEN,
NINE, and TWELVE:**

***Sale of a Firearm and Ammunition to a
Prohibited Person***

18 U.S.C. §§ 922(d)(1) and 924(a)(2)

NMT: 10 Years' Imprisonment

NMT: \$250,000 Fine

NMT: 3 Years' Supervised Release

Class C Felony

COUNT FOUR, EIGHT, and TEN:

***Knowing Transfer of a Firearm for Use in a
Crime of Violence***

18 U.S.C. § 924(h)

NMT: 10 Years' Imprisonment

NMT: \$250,000 Fine

NMT: 3 Years' Supervised Release

Class C Felony

COUNTS ELEVEN and THIRTEEN:

Possession of an Unregistered Firearm

26 U.S.C. §§ 5841, 5861(d) and 5871

NMT: 10 Years' Imprisonment

NMT: \$250,000 Fine

NMT: 3 Years' Supervised Release

Class C Felony

COUNT FOURTEEN:

Possession of a Stolen Firearm

18 U.S.C. §§ 922(j) and 924(a)(2)

NMT: 10 Years' Imprisonment

NMT: \$250,000 Fine

NMT: 3 Years' Supervised Release

Class C Felony

\$100 Mandatory Special Assessment Each
Felony Count

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

Conspiracy to Make False Statements During Purchase of Firearms

From on or about July 7, 2014, and continuing thereafter until on or about October 4, 2018, in the Western District of Missouri and elsewhere, the defendant, JAMES SAMUELS, and others, known and unknown to the Grand Jury, knowingly and willfully conspired and agreed together and with each other, to commit an offense against the United States, to wit: to make false statements and representations to persons licensed to deal in firearms under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the licensed dealers, by misrepresenting the identity of the actual buyer of firearms, contrary to the provisions of Title 18, United States Code, Section 924(a)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that the defendant, JAMES SAMUELS, and his co-conspirators, would make false statements to persons licensed to deal in firearms, during the course of firearm transfers, as to the identity of the actual buyer of the firearm, as required on ATF Form 4473.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the Western District of Missouri and elsewhere:

1. On or about November 22, 2013, the defendant, JAMES SAMUELS, purchased a Jimenez, Model J.A. Nine, 9mm, pistol, Serial Number 284356, from Jimenez Arms, Inc., for \$120 and had the firearm shipped to Conceal & Carry Federal Firearm License (FFL), 12004 East 47th Street Kansas City, Missouri.

2. The firearm was subsequently transferred to Co-Conspirator #1 through Conceal & Carry on or about July 7, 2014.

3. The firearm was reported stolen by Co-Conspirator #1 on or about July 23, 2014, sixteen (16) days after purchase, during a reported armed robbery in Kansas City, Missouri.

4. On or about November 13, 2013, the defendant, JAMES SAMUELS, purchased a Jimenez, Model J.A. 380, .380 caliber, pistol, Serial Number 285794, from Foothills Firearms, LLC, via GunBroker.com for \$100 and had the firearm shipped to Conceal & Carry.

5. The firearm was subsequently transferred to Co-Conspirator #1 through Conceal & Carry on or about July 21, 2014.

6. Co-Conspirator #1 then reported the firearm stolen on or about July 23, 2014, two (2) days after purchase, during a reported armed robbery in Kansas City, Missouri.

7. On or about November 22, 2013, the defendant, JAMES SAMUELS, purchased a Jimenez, Model L.C. 380, .380 caliber, pistol, Serial Number 264092, from Jimenez Arms, Inc., for \$120 and had the firearm shipped to Conceal & Carry.

8. The firearm was subsequently transferred to Co-Conspirator #1 through Conceal & Carry on or about August 6, 2014.

9. Two (2) Jimenez firearms were reported stolen by Co-Conspirator #1 with unknown serial numbers on or about December 19, 2014, during a reported burglary with forced entry.

10. On or about December 10, 2013, the defendant, JAMES SAMUELS, purchased a Jimenez, Model L.C. 380, .380 caliber, pistol, Serial Number 264659, from Jimenez Arms, Inc., for \$120.00 and had the firearm shipped to Conceal & Carry.

11. The firearm was subsequently transferred to Co-Conspirator #1 through Conceal & Carry on or about November 2, 2014.

12. Two (2) Jimenez firearms were reported stolen by Co-Conspirator #1 with unknown serial numbers on or about December 19, 2014, during a reported burglary with forced entry.

13. On or about November 14, 2015, a Jimenez, Model J.A. Nine, 9mm, pistol, Serial Number 098813, was transferred to the defendant, JAMES SAMUELS, at CR Sales (FFL), 1703 South Noland Road, Independence, Missouri.

14. The defendant, JAMES SAMUELS, then transferred the firearm to Co-Conspirator #1 at Green Tip Arms, LLC (FFL), 203 South Pelham Path Raymore, Missouri, on or about February 1, 2016.

15. On or about October 27, 2016, the defendant, JAMES SAMUELS, purchased a

Jimenez, Model L.C. 380, .380 caliber, pistol, Serial Number 264089 from Security Solutions via GunBroker.com for \$125.

16. On or about May 1, 2017, the defendant, JAMES SAMUELS, transferred the firearm to Co-Conspirator #1 at Mission Ready Gunworks (FFL) 1924 Linn Street, Kansas City, Missouri.

17. On or about June 11, 2017, Co-Conspirator #1 reported the firearm stolen forty-one (41) days after transfer.

18. From approximately June 1, 2015 to approximately November 2, 2016, the defendant, JAMES SAMUELS, had six (6) firearms transferred to him at CR Sales, two (2) of which were transferred out to a third party on an ATF Form 4473, and four (4) were transferred to third parties at three (3) different FFLs.

19. From approximately January 7, 2017 to approximately November 21, 2017, the defendant, JAMES SAMUELS, had sixteen (16) firearms transferred to him at Mission Ready Gunworks.

20. The defendant, JAMES SAMUELS, transferred three (3) of those sixteen (16) firearms to a third party on ATF Form 4473 at Mission Ready Gunworks.

21. On or about October 4, 2018, law enforcement executed a search warrant for the defendant, JAMES SAMUELS' residence, located at 2201 East 38th Street, Kansas City, Jackson County, Missouri. Upon execution of the warrant, law enforcement recovered twenty-eight (28) firearms, consisting of twenty-two (22) handguns, five (5) rifles and one (1) shotgun.

All contrary to the provisions of Title 18, United States Code, Section 371.

COUNT TWO

Engaging in the Business of Dealing Firearms Without a License

On or between July 7, 2014, and October 4, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms, contrary to the provisions of Title 18, United States Code, Sections 922(a)(1)(A), 923(a), and 924(a)(1)(D).

COUNT THREE

Sale of a Firearm and Ammunition to a Prohibited Person

On or about June 29, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, knowingly sold a firearm and ammunition, that is, a Winchester Model 12, 12-gauge shotgun, Serial Number 1900308, and one (1) box of twenty-five (25) Federal 2 ¾ inch, 12-gauge eight (8) shot shotgun shells, to ATF Confidential Informant #26823, knowing and having reasonable cause to believe that ATF Confidential Informant #26823 had been convicted of a crime punishable by imprisonment for a term exceeding one year, contrary to the provisions of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT FOUR

Knowing Transfer of a Firearm for Use in a Crime of Violence

On or about June 29, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, did knowingly transfer a firearm, that is, a Winchester Model 12, 12-gauge shotgun, Serial Number 1900308, knowing that the firearm would be used in a crime of violence, contrary to the provisions of Title 18, United States Code, Section 924(h).

COUNT FIVE

Sale of a Firearm and Ammunition to a Prohibited Person

On or about July 19, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, knowingly sold a firearm and ammunition, that is, a Jimenez Arms, Model J.A. NINE, 9mm pistol, Serial Number 355076, and one (1) box containing fifty (50) rounds of Monarch 9mm ammunition, to ATF Confidential Informant #1331, knowing and having reasonable cause to believe that ATF Confidential Informant #1331 had been convicted of a crime punishable by imprisonment for a term exceeding one year, contrary to the provisions of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT SIX

Sale of Ammunition to a Prohibited Person

On or about July 19, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, knowingly sold ammunition, that is, one (1) box of twenty-five (25) Federal 2 ¾ inch, 12-gauge eight (8) shot shotgun shells, and one (1) box containing fifty (50) rounds of Aguila .22 caliber long rifle ammunition, to ATF Confidential Informant #26823, knowing and having reasonable cause to believe that ATF Confidential Informant #26823 had been convicted of a crime punishable by imprisonment for a term exceeding one year, contrary to the provisions of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT SEVEN

Sale of a Firearm and Ammunition to a Prohibited Person

On or about September 5, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, knowingly sold a firearm and ammunition, that is, an American Tactical Imports Omni-Hybrid AR-15 .223 caliber rifle, Serial Number NS179118, and four (4) boxes, each containing twenty (20) rounds of Wolf .223 caliber ammunition, to ATF Confidential Informant #1331, knowing and having reasonable cause to believe that ATF Confidential Informant #1331 had been convicted of a crime punishable by imprisonment for a term exceeding one year, contrary to the provisions of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT EIGHT

Knowing Transfer of a Firearm for Use in a Crime of Violence

On or about September 5, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, did knowingly transfer a firearm, that is, an American Tactical Imports Omni-Hybrid AR-15 .223 caliber rifle, Serial Number NS179118, knowing that the firearm would be used in a crime of violence, contrary to the provisions of Title 18, United States Code, Section 924(h).

COUNT NINE

Sale of a Firearm and Ammunition to a Prohibited Person

On or about September 5, 2018, in the Western District of Missouri, the defendant JAMES SAMUELS, knowingly sold a firearm and ammunition, that is, an American Tactical Imports Omni-Hybrid AR-15 .223 caliber pistol, Serial Number NS180358, and two (2) boxes, each containing twenty (20) rounds of Wolf .223 caliber ammunition, to ATF Confidential Informant #1331, knowing and having reasonable cause to believe that ATF Confidential Informant #1331 had been convicted of a crime punishable by imprisonment for a term exceeding one year, contrary to the provisions of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT TEN

Knowing Transfer of a Firearm for Use in a Crime of Violence

On or about September 5, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, did knowingly transfer a firearm, that is, an American Tactical Imports Omni-Hybrid AR-15 .223 caliber pistol, Serial Number NS180358, knowing that the firearm would be used in a crime of violence, contrary to the provisions of Title 18, United States Code, Section 924(h).

COUNT ELEVEN

Possession of an Unregistered Firearm

On or about September 5, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, knowingly received and possessed a firearm, that is, an American Tactical Imports Omni-Hybrid AR-15 .223 caliber pistol with a vertical fore grip installed, Serial Number NS180358, not registered to him in the National Firearms Registration and Transfer Record, contrary to the provisions of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

COUNT TWELVE

Sale of a Firearm and Ammunition to a Prohibited Person

On or about October 4, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, knowingly sold a firearm and ammunition, that is, an Armscor of the Philippines, Model 206 .38 special caliber revolver, Serial Number RIA1847487, and one (1) box containing fifty (50) rounds of Winchester .38 special ammunition, to ATF Confidential Informant #1331, knowing and having reasonable cause to believe that ATF Confidential Informant #1331 had been convicted of a crime punishable by imprisonment for a term exceeding one year, contrary to the provisions of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT THIRTEEN
Possession of an Unregistered Firearm

On or about October 4, 2018, in the Western District of Missouri, the defendant, JAMES SAMUELS, knowingly received and possessed a firearm, that is, a Glock, Model 22 .40 caliber pistol with a TAC Isran GLR 440 stock installed, Serial Number NMG800, not registered to him in the National Firearms Registration and Transfer Record, contrary to the provisions of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

COUNT FOURTEEN
Possession of a Stolen Firearm

On or about October 4, 2018, in the Western District of Missouri, the defendant JAMES SAMUELS, knowingly possessed a stolen firearm, that is a Colt, Model 1911, .45 caliber pistol, Serial Number FA24014, which had been shipped and transported in interstate or foreign commerce, knowing and having reasonable cause to believe the firearm was stolen, contrary to the provisions of Title 18, United States Code, Sections 922(j) and 924(a)(2).

A TRUE BILL.

10/24/18
DATE

/s/ Shannon Cassidy
FOREPERSON OF THE GRAND JURY

/s/ Bradley K. Kavanaugh
Bradley K. Kavanaugh
Assistant United States Attorney
Narcotics & Violent Crimes Unit
Western District of Missouri